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WHOLE 2652

BOTH HOUSES CONSIDER MATTERS OF REVENUE

LEGISLATURE--FORTIETH DAY.

THE SENATE.

The Senate worked for a long day yesterday, and at that accomplished very little, because the greater part of the time was devoted to the discussion of the Paris License Bill, which seems to be a kind of lobsouse of legislation made up of parts of the present law, parts of divers other laws made to fit the County Act, and parts of nobody seems to clearly know what. And at that, no conclusion was reached on the bill, because so many parts of it were sent to different committees, which must be heard from before the measure can be put on its second reading.

The day's proceedings opened with a notification from the House of the passage of Coelho's resolution asking Congress to bar the children of Asiatic parents from the privilege of citizenship. Paris said he did not think that Congress had given the Legislature power to amend the constitution of the United States, and wanted the resolution referred to committee, but it was passed without that formality.

AVERY WANTS HIS MONEY.

A petition was read from J. D. Avery asking that he be paid \$238.00 for work done as clerk of the County Act Commission. Avery in his petition accused the Secretary of the County Act Commission of neglect of duty in failing to present his account to the Governor and in failing also to present a bill for supplies due to Hawaiian News Company amounting to \$9.75. This is only half of his claim of \$496.54, the House having been asked to pay the balance. The petition went to the Ways and Means Committee.

A petition was presented asking that five acres of public land be set aside for a playground for the children of Waialeale school in Hilo.

FAVORS THE OSTEOPATHS.

Senate Bill 53, the osteopathy bill, was in order on second reading and was read with the majority and minority committee reports upon it. The majority report recommended the tabling of the bill. This, however, was not done, the bill being amended according to the recommendations of the minority report, these recommendations being in the nature of the regulation of proposed licenses to osteopaths. The bill then passed second reading. It will be read for the third time on Wednesday.

Senate Bill 101, relative to holding witnesses in prison, was favorably reported from the Judiciary Committee, and passed second reading.

The Miscellaneous Committee reported in favor of referring the telephone bill to a special committee from Oahu. This was done, and Bishop, Achi and Lane were appointed such committee.

The Senate conferees on House Bill 43 reported failure to agree with the House conferees. The report was received, but by rising vote the Senate refused to appoint a new Conference Committee. House Bill 43 is the act fixing wages of government laborers.

Achi introduced a bill to tax bonds and mortgages. Read first time and referred.

RECESS APPOINTMENTS GO OVER.

The order of the day came on consideration of the Governor's recess appointments. McCandless moved postponement of consideration until April 8, and this carried.

Senate Bill 87, the fire escape bill, passed third reading, only one vote being cast against it.

Senate Bill 90, to preserve the food fishes of the Territory, came up on third reading, and Dowsett, before voting, wanted to know whether the provision of the bill against having certain fishes in possession would affect the Aquarium.

"It is a good point," said Bishop. "I move that the bill be referred to the Revision Committee."

And this passed, President Isenberg approving of the point, and also of the point raised by Paris as to catching young mullet for stocking ponds, which he called especially to the committee's attention.

"There are ponds on Kauai," said the President, "in which the fish will not breed, and to which young mullet must be carried for two miles for breeding purposes."

At the afternoon session, Dickey, from the Revision Committee, reported an amendment to the bill exempting aquariums and breeding ponds from the operations of the statute, and the bill passed third reading without dissent.

BUT LITTLE DISSENT.

Senate Bill 100, to provide for the checking of contagious diseases, passed third reading, Lane, McCandless, Bishop and Randall voting against it.

Lane and McCandless voting against it. House Bill 146, to provide fire departments at Wailuku and Lahaina, was referred on second reading to the Maui delegation.

THE LICENSE BILL.

Achi moved that Senate Bill 48, the license bill, be taken from the Ways and Means Committee and considered by the Senate as a whole. The motion carried.

From the special railroad committee, Lane reported back the McCandless bill with a request for further instructions in the matter of granting the use of public streets and on the subsidy proposition. The report was laid on the table to be considered with the bill.

The Senate then took up the license bill, Senate Bill 48, and began its consideration section by section. Trouble was in the air from the start, on a proposition to make the bill a county measure. The scheme failed for the present, because the Senators looked with more favor on Dickey's plan to provide for that in a separate section to be inserted at the end of the bill. It was the opinion that it would be better to do this so that the bill would be operative, as Dickey said, whether the County Act stood the test of the courts, or whether it did not. The clerk then proceeded to read the bill section by section, each subdivision being acted upon separately. The reading had reached Section 25 when the noon recess was taken.

AFTERNOON SESSION.

Commencing at Section 25, the reading of the "license act" was resumed at the afternoon session of the Senate. The sections fixing the banking license at \$250 per year and all sections relative to banking were referred to the Ways and Means Committee to make the sections conform to the other banking laws.

When the beef license section was reached, Paris moved that in place of a general license, the fee be \$100 per annum at Honolulu, \$50 in Hilo and Waialeale, and \$20 in outside districts. McCandless objected to this, saying that there were many small shops in Honolulu that could not afford to pay the license.

Paris said his amendment was intended to reach those who slaughtered and sold beef.

"The section," said McCandless, "provides only for selling beef."

"It means slaughter and sell," said Paris.

"Well, that isn't what it says," snapped McCandless.

Finally, the whole beef business was referred to the Public Lands Committee.

"The chairman of the Public Lands Committee, McCandless, is in the butcher business," protested Achi.

"The chairman is an honorable man, and can make a fair report," said President Isenberg.

CHURCHES AND LANDS.

Under suspension of the rules, Lane introduced the following:

Whereas, for more than seventy-five years past, the Bishop and Priests of the Roman Catholic Church have maintained and directed a Mission in the Hawaiian Islands under the name of the Catholic Mission of the Hawaiian Islands; and

Whereas, this Mission represents several thousands of communicants, and owns real estate in different parts of the Territory, which is used for church and school purposes, and where not so used, is held for such use, when the population of the Territory shall warrant the same; and

Whereas, the said Catholic Mission is not an incorporated body, but is managed by said Bishop and Priests under the rules, regulations and discipline of the Roman Catholic Church; and

Whereas, the said Bishop and Priests desire to become incorporated, but as the said Mission owns throughout the entire group of islands over one thousand acres of land, an Act of Congress is necessary to protect them in their vested rights if they should form a corporation; and

Whereas, religious, benevolent, charitable, or scientific corporations should not be restricted, like business corporations, in their real estate holdings to one thousand acres of land; therefore,

Resolved by the Legislature of the Territory of Hawaii: That the Congress of the United States of America be and is hereby memorialized to pass an act, exempting religious, benevolent, charitable and scientific corporations from the restrictions contained in Section 55 of an "Act to Provide a Government for the Territory of Hawaii," approved April 30, 1900, limiting the real estate holdings of corporations to one thousand acres of land, and allowing religious, benevolent, charitable and scientific corporations to hold any number of acres of land, provided such land is used strictly and exclusively for religious, benevolent, charitable or scientific purposes, as the case may be.

That the Secretary of the Territory be and is hereby directed to send a copy of this resolution to the President of the Senate and to the Speaker

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INTOXICATION LOOKED INTO.

Leper Junket Was Testified About.

The officers of the steamer Kinau were completely exonerated from any charges of drunkenness on the Molokai junket, at the meeting of the Pinkham Investigating Committee of the Senate last night. The first part of the session was devoted to testimony regarding the officers and their condition during the voyage and the result was all they could desire. It was developed, however, that a mate of the Likelike, was aboard in uniform and that his actions had been such as to cause the impression that one of the officers of the Kinau was drunk.

The long-looked for statement of President Pinkham of the Board of Health was not read last night, but will probably be read at tonight's session. Pinkham is through with his witnesses, but still has a number of statements of people at the leper settlement to read. After all these are presented he will argue his case. Much testimony was introduced last night regarding the dangerous condition of the landing. The testimony regarding the conditions at the settlement and the enforcement of the law of segregation was largely favorable to the defense. The witnesses who testified last night saw little drunkenness, in contrast to some who testified last week.

OFFICERS NOT DRUNK.

A number of witnesses were introduced at the outset to tell of the condition of the officers of the Kinau. The Wilder Company was represented, and H. E. Cooper conducted most of the examination. Most of the officers were present. It was developed that very few people knew just who was in charge of the steamer, and it was easy for the passengers to mistake an officer of another steamer for one of the officers of the Kinau.

Senator Lane, Secretary Atkinson, C. A. Brown, Senator Dowsett and Mrs. Naukina were summoned as witnesses. Most of them knew the officers mentioned well and all were unanimous in stating that they were absolutely sober. Captains Clarke, Naopala, Self and Saunders were in charge of the vessel in various capacities, and one or another of the witnesses had an opportunity to observe them during the whole trip.

Mrs. Naukina testified that she was well acquainted with Captains Clarke and Naopala and that they were "just as they always are." She said that Captain Naopala was "jolly, slow, hearty of speech and had a rolling walk." This was the way he was naturally. Some person that did not know him must have mistaken his jolly manner for a condition produced by liquor. Mrs. Naukina stated that she knew how dangerous the landing at Kalaupapa was, yet she would not have been afraid to go ashore ten times with Captain Naopala in charge of the boat. In response to a question from Mr. Pinkham, witness stated that she was familiar with island landings and that Kalaupapa was always dangerous, especially when the boats were manned by inexperienced men, but that as Captain Naopala was especially well acquainted with the place she was not afraid to go ashore in his charge.

President C. L. Wight of the Wilder Company was another witness who had nothing but praise for Captain Naopala. He stated that he had known of his work for ten years, first as second mate of the Mokoli. He had worked his way up to his present post as commander of the Likelike. He was especially complimented by the United States inspectors as a careful and experienced captain. Mr. Wight also spoke in terms of high commendation regarding Mate Louis Self, who had worked his way up from the ranks. He holds a master's license. Mr. Wight said that he had never even smelled liquor on the breaths of these men and stated that if they had been accustomed to drink they would never have retained their places.

Nearly all the witnesses noticed the mate of the Likelike who was reported to have been under the influence of liquor. Secretary Atkinson said that the man was "talkative," and Senator Dowsett testified that the man, whom he was informed later was a mate on the Likelike, acted as if he had partaken of liquor a little too freely. He said that he understood that the man was not on duty. Witness saw a few people on board that had taken a little too much liquor, but only a few. He saw no one whom he would really call drunk.

Senator Achi was called and testified

EXPLANATION FROM BROWN

How Hilo Happened to Think He Was Coerced.

The following is the letter which Senator Brown of Hilo meant to write to the Hilo Board of Trade relative to the one county provision in the County Act:

Honolulu, March 26, 1905.

H. Vickers, Esq., Hilo, Hawaii.

Dear Sir: Your letter was received on the 17th inst., in reference to the County Act now considered before the Senate at the present time on its second reading and for amendments or additions; this has been already passed a third time in the House. The main feature in the Senate is that it is one county for Hawaii.

On this point of one county for Hawaii, I have given my support on account of explanations made by Senators Paris and Woods before the Senate pertaining to the insufficiency of funds of said districts; there is enough for the pay of the officers of the county, but not sufficient for improvements.

Therefore, I am satisfied that is the only course that will be good for the law at its start; if it should pass in the Senate and the House refuses to agree when the bill goes back again to that House, then the Joint Committee will take action; when it will be known there will be one county or else perhaps two for Hawaii. You will then see about it in the newspapers.

Very respectfully,

(S.) J. T. BROWN.

As to how the letter came to be written in Hilo as it was published, the following signed statement explains:

I noticed in the Sunday Advertiser yesterday an article about the letter I wrote for Senator Brown to the Hilo Board of Trade. Some time last week Senator John T. Brown came to my house and asked me to do him a favor by answering the Hilo Board of Trade's letter by addressing the secretary, H. Vickers.

He dictated to me in Hawaiian. When I got through with my shorthand lesson Monday evening I went home and sat down to write a letter to the said party.

I could not find the letter Senator Brown dictated to me, so I lost no time in searching for it, and wrote the best I could remember. Tuesday morning I did not meet him at the New England Bakery, as I calculated, and have it compared; so I went to my work.

About 10:30 that morning I sent the letter to Senator Brown by some one to the Senate. And that's all I know. In comparing the letter I wrote, however, and the original Hawaiian letter held by Brown, I found my letter was quite off.

Therefore, by this, I wish to acknowledge my mistake; because Senator Brown did not dictate anything to me about being coerced by Senators Paris and Woods, and I know that I did not once use the word "coerce" or "coercion" in the letter I wrote.

GEO. K. LOWE.

April 3, 1905.

that the officers were sober. Asked as to other persons, he stated that a Mr. Freeman and Carter were talking too much. When asked as to what Carter, he said, "David," whereupon Senator Palmer Woods remarked, "Oh, I thought you meant George."

NAOPALA'S STATEMENT.

Mr. Pinkham began his presentation of the case by reading the affidavit of Captain Naopala, which was as follows:

"My name is Moses Naopala. I am Captain of the S. S. Likelike, which steamer is on the regular weekly run to Kalaupapa, Molokai. Capt. Clarke requested me to go on the trip to supervise the handling of passengers in boats at the Leper Settlement. I am familiar with the landing at Kalaupapa. I know it to be a very dangerous landing at times, and at some seasons of the year and certain directions of the wind to become impossible to land.

The month of March is within the dangerous season, and the wind on the 19th of March was in the right quarter to cause a sudden and dangerous increase of the ocean swell and consequent impassable breakers on the shore and landing. The Kinau arrived and anchored off Kalaupapa, Molokai, at about 4 o'clock the morning of March 19th. In the dim light I saw the sea was breaking heavily on the shore, and as the day dawned the heavy breakers could be clearly seen.

About 6 o'clock it was decided best to ascertain the exact state of the landing. I ordered a boat and crew started ashore and landed through very heavy breakers. I remained about an hour conferring with Superintendent McVeigh, when a second boat put out from the steamer to ascertain what had become of the first boat.

I ordered my boat to pull out from the landing. We met the second boat,

which turned about, and both boats were rowed to the Kinau and quickly hung on their davits. Superintendent McVeigh stated it was too dangerous to land a single passenger and directed that no one be allowed to attempt to come ashore, and I so reported to Captain Clarke.

"I was most firmly of the opinion no one should be allowed ashore and that it would be foolhardy for any person to make the attempt. I told the people on the Kinau it was impossible to land them through the breakers.

"The Kinau lay at anchor awaiting a change in the sea. At 8 o'clock there was no abatement, but the President of the Board of Health insisted upon making alone a personal attempt to land. I warned him not to take the chances, but on Captain Clarke's orders called boat No. 1 crew, which taking the mail succeeded in landing the President of the board safely.

"Later the Kinau steamed as far as Waikolu, and there landed five persons. We returned to Kalaupapa and in the afternoon, the sea having moderated somewhat, a few boat loads of people were landed. One of the boats was thrown upon the rocks, whereupon two boats in the offing, having passengers on board, turned back to the Kinau. The landing of passengers ceased until the boats put out to bring passengers back to the Kinau. A few took advantage of this to go ashore for a short time.

"As to who were responsible for the safe landing or return of passengers, beyond each for himself, I do not know. The committees were giving orders, but where their responsibility began or ended, I do not know. The officers of the Kinau refused to be responsible. I considered conditions such as at any moment the sea might run still higher, and the breakers might become so high none of the people on shore could be brought back to the Kinau on the 19th day of March."

HOW BURNS GOT ASHORE.

A. M. Burns of the Star was the next witness. He testified that he was on the Kinau when it returned to Kalaupapa from Waikolu and that he had tried to get into a boat in which Secretary Atkinson was, but was told that no more could go in that boat. The next boat was for members of the Legislature. "I have not the honor of being a member of the body," said Burns, "but I thought it was best for me to go in that boat. I got down into it and soon a lieutenant of police (Lieutenant Luehiwa) and another policeman (George Sea) came down and told me that I would have to get back on the steamer. I said 'I guess not.' Then some words were spoken in Hawaiian from the steamer and again they told me that I must go back on the Kinau. I said that if I went they would have to put me back by force. They said that they guessed they could, and I said that I thought so, too. Just then a voice called something in Hawaiian from the steamer, and they said that they guessed I could stay in the boat, and I did. There was no unpleasantness between myself and the policemen. I knew that they were doing their duty, but I considered it to be my duty to get ashore." Burns also testified that Captain Naopala was perfectly sober.

OBEYED A VOICE.

Lieutenant Luehiwa was next called and asked who told him not to let Burns go in the boat, and he replied that he heard a voice from the steamer, but did not recognize it. He also heard a voice tell him to let Burns go.

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PARIS PAPERS DISTURBED OVER KAISER'S ADDRESS

PARIS, April 4.—The newspapers declare that the Kaiser's speech at Tangier is almost tantamount to an open quarrel with France.

ST. PETERSBURG, April 4.—The Tangier incident is not regarded seriously here. It is believed that the Kaiser intended to influence the Reichstag to adopt a larger naval program.

NEW PANAMA COMMISSION.

WASHINGTON, April 3.—The Panama Canal Commission as reorganized by the President, is made up as follows: Chairman Theodore P. Shonts, Charles E. Magoon, Governor canal zone; John F. Wallace, chief engineer; Rear Admiral Endicott, Brigadier General Hains, Col. O. M. Ernest and Benjamin Harrod.

THE PRESIDENT'S JOURNEY.

WASHINGTON, April 4.—President Roosevelt left yesterday, amid ovations en route, for a tour of the southwest.

ZEIGLER, Ill., April 3.—An explosion in the Leiter mine today killed one man and entombed thirty workmen.

ZEIGLER, April 4.—There were probably thirty-five killed in the mine accident and fifteen wounded.

WARSAW, April 4.—The authorities have confiscated the goods of the gun dealers here and all sales of guns have been prohibited. A general strike is imminent.

ROJESTVENSKY MOVING EAST

Vladivostok Said To be His Goal.

Severe Land Fighting is Expected Soon.

(Associated Press Cablegrams.)

ST. PETERSBURG, April 4.—

It is officially admitted that Admiral Rojestvensky's fleet is en route to Vladivostok. It is understood that a rendezvous with Nebogoff is not contemplated.

THIRD SQUADRON
IN RED SEA.

JIBUTIL, April 4.—Admiral Nebogoff's squadron has arrived here.

ST. PETERSBURG, April 4.—The Governor of Sakhalin has requested that nurses be sent to him as he expects an attack on the island in the spring.

MUKDEN, April 4.—There is great suffering among the Chinese. The war has destroyed scores of villages and 100,000 Chinese are homeless and destitute. The government is housing and feeding 60,000.

GUNSHU PASS, April 4.—Fighting is expected soon. The Russian concentration has been completed, the cavalry screening it from the Japanese.

TOKIO, April 4.—The Russians have been driven out of Aishenko, twenty-six miles north-east of Kaiyuan. Otherwise there is no change in the situation.